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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,141	02/11/2004	Jaan Hellat	003-112	2434

36844 7590 09/15/2005

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EXAMINER

CASAREGOLA, LOUIS J

ART UNIT PAPER NUMBER

3746

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/775,141

Applicant(s)

HELLAT ET AL.

Examiner

Louis J. Casaregola

Art Unit

3746

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/11/04 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br/>         Paper No(s)/Mail Date ____.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)<br/>         Paper No(s)/Mail Date. ____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: ____.</p> |
|---|---|

### ***Objections To Drawing***

The drawing in this case is objected to under 37 CFR 1.83(a) for failing to show every feature of the claimed invention. Claim 4 requires cooling the inlet air for compressor 12, and claim 5 further specifies that the cooling provision is carried out by liquid droplet injection. This feature however is completely missing from the preferred embodiment shown in Figure 1. An appropriate drawing amendment is therefore required in response to this Office action.

### ***Claim Rejections - 35 USC 112***

Claims 1-14 are rejected under 35 USC 112, first and second paragraphs, as the claimed invention is not described in such full, clear, concise and exact terms as to enable any person skilled in the art to make and use the same, and/or for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.


The claims in this case all include the step of supplying "a total fuel mass flow ( $\dot{m}_{\text{FUEL}}$ ) of the gas turbo group depending on a control deviation ( $P_{\text{SET}} - P_{\text{ACT}}$ ) of the net power output"; see claim 1, lines 6-7. In the disclosed embodiment shown in Figure 1, however, total fuel mass flow ( $\dot{m}_{\text{FUEL}}$ ) does not in fact appear to be set in response to

( $P_{\text{SET}} - P_{\text{ACT}}$ ). As shown in the disclosed embodiment, the parameter ( $P_{\text{SET}} - P_{\text{ACT}}$ ) is applied exclusively to regulator 34, which controls only the fuel portion ( $\dot{m}_{\text{SEV}}$ ) supplied via valve 18 to non-catalytic burner stage 6. There appears to be nothing in the arrangement shown that that would actually make total fuel flow ( $\dot{m}_{\text{FUEL}}$ ) dependent upon ( $P_{\text{SET}} - P_{\text{ACT}}$ ) in the manner claimed. Either the invention has not been fully and accurately disclosed so as to be enabling for all claimed features (§ 112, first paragraph), or the present claims include a significant error (§ 112, second paragraph).

### **References**

Pfefferle and Kappler et al are cited as disclosing examples of catalytic combustion systems having fuel and/or air flow controls, and the references cited by applicants on Form PTO-1449 are also noted. Because of the basic question raised by the § 112 rejection above, however, the prior art cannot be properly applied at this time.

L. J. Casaregola  
571-272-4826 (M-F; 7:30-4:00)  
571-273-8300 FAX  
September 7, 2005

  
LOUIS J. CASAREGOLA  
PRIMARY EXAMINER

Art Unit: 3746

If repeated attempts to reach the examiner by telephone are unsuccessful, the art unit supervisor, Timothy Thorpe, can be reached at 571-272-4444.

Information regarding the status of this application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR, and status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).